DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service
Food and Drug Administration

Memorandum

Date: DEC 17 2003

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From: Consumer Safety Officer, Division of Dietary Supplement Programs , Office of Nutritional Products, Labeling and Dietary Supplements, HFS-810

Subject: 75-Day Premarket Notification of New Dietary Ingredients

To: Dockets Management Branch, HFA-305

Subject of the Notification: ___Uridine_____

Firm: ___Amino GmbH_____

Date Received by FDA: _March 14, 2003_____

90-Day Date: ___June 14, 2003

In accordance with the requirements of section 413(a) of the Federal Food, Drug, and Cosmetic Act, the attached 75-day premarket notification and related correspondence for the aforementioned substance should be placed on public display in docket number 95S-0316 as soon possible since it is past the 90-day date. Thank you for your assistance.

Victoria Wilson

R PT 182

95S-0316

RPT182

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Food and Drug Administration
College Park, Maryland 20740

MAY 29 2003

Diane B. McColl
Jennifer B. Davis
Law Offices
Hyman, Phelps & McNamara, P.C.
700 Thirteenth Street, North West, Suite 1200
Washington, D.C. 20005-5929

Dear Ms. McColl and Ms. Davis:

This is to inform you that the notification, dated March 14, 2003, you submitted pursuant to 21 U.S.C. 350b(a)(2)(section 413(a)(2) of the Federal Food, Drug, and Cosmetic Act (the Act)) was filed by the Food and Drug Administration (FDA) on February 26, 2003. Your notification, making a submission on behalf of Amino GmbH, identified the substance Uridine as the substance that you intend to market as a new dietary ingredient.

Your notification states that, under the recommended serving and conditions of use, the supplements will be in powder, tablet and/or capsule form. Suggested servings will likely be two (2) to three (3) servings per day for a total daily intake of up to 2 g of Uridine with no specific limitations on duration of use, or exclusion of subpopulations such as pregnant or lactating women and the elderly. A suggested purpose for use is not stated.

Under 21 U.S.C. 350b(a)(2), the manufacturer or distributor of a dietary supplement that contains a new dietary ingredient that has not been present in the food supply as an article used for food in a form in which the food has not been chemically altered must submit to FDA, at least 75 days before the dietary ingredient is introduced or delivered for introduction into interstate commerce, information that is the basis on which the manufacturer or distributor has concluded that a dietary supplement containing such new dietary ingredient will reasonably be expected to be safe. FDA reviews this information to determine whether it provides an adequate basis for such a conclusion. Under section 350b(a)(2), there must be a history of use or other evidence of safety establishing that the new dietary ingredient, when used under the conditions recommended or suggested in the labeling of the dietary supplement, will reasonably be expected to be safe. If this requirement is not met, the dietary supplement is deemed to be adulterated under 21 U.S.C. 342(f)(1)(B) because there is inadequate information to provide reasonable assurance that the new dietary ingredient does not present a significant or unreasonable risk of illness or injury.

The FDA has carefully considered the information in your submission and the agency has significant concerns about the evidence on which you rely to support your conclusion that a dietary supplement containing Uridine will reasonably be expected to be safe.

The clinical data submitted in your notification cites several studies employing Uridine in almost exclusively diseased patients to relieve the symptoms and progression of various conditions in humans. Several of these studies identify adverse effects related to the use of Uridine, including gastrointestinal side effects. The clinical information presented also does not address the full conditions of use and suggested servings as submitted in your notification. Notably, these studies do not address the possible complications or adverse outcomes which might occur with continued use of the product at the suggested dosage. Based on the adverse effects noted with the limited duration of use in these studies, a significant concern for more significant and serious adverse outcomes is raised with continued use of this product. Neither is any supporting evidence provided to document a history of use in the general population that would serve as a reasonable expectation of safety. As such, this information does not provide a reasonable basis of safety at the suggested dose.

Therefore, you have not met the requirement to notify the FDA of the basis upon which you have concluded that a dietary supplement containing your product is reasonably expected to be safe as required by 21 U.S.C. 350b(a)(2) and 21 CFR 190.6. Accordingly, your product may be adulterated under 21 U.S.C. 342(f)(1)(B) as a dietary supplement that contains new dietary ingredient(s) for which there is inadequate information to provide reasonable assurance that it does not present a significant or unreasonable risk of illness or injury. Introduction of such products into interstate commerce is prohibited under 21 U.S.C. 331(a) and (v).

Your notification will be kept confidential for 90 days after the filing date of March 14, 2003. After the 90-day date, the notification will be placed on public display at FDA's Docket Management Branch in docket number 95S-0316. Prior to that date, you may wish to identify in writing specifically what information you believe is proprietary, trade secret or otherwise confidential for FDA's consideration.

If you have any questions concerning this matter, please contact Victoria Lutwak at (301) 436-2375.

Sincerely yours,

Susan J. Walker, M.D.
Acting Division Director
Division of Dietary Supplement Programs
Office of Nutritional Products, Labeling
and Dietary Supplements
Center for Food Safety
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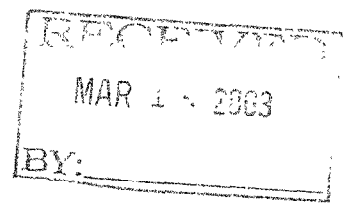
March 11, 2003



BY CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Office of Nutritional Products, Labeling,
and Dietary Supplements (HFSA-820)
Center for Food Safety and Applied Nutrition
Food and Drug Administration
5100 Paint Branch Parkway
College Park, Maryland 20740

Dear Sir or Madam:

Pursuant to Section 8 of the Dietary Supplement Health and Education Act of 1994, on behalf of Amino GmbH (Amino), located at An der Zucker-Raffinerie 10, 38373 Frellstedt, Germany, we submit this new dietary ingredient notification to the Food and Drug Administration for Uridine, a product to be manufactured by Amino for use as a dietary ingredient in dietary supplements.

Amino's Uridine is intended for use in dietary supplements. The supplements may be sold in powder, tablet and/or capsule form. Suggested use will likely be two (2) to three (3) servings per day for a total daily intake of up to 2 g of Uridine with no specific limitations on duration of use, or exclusion of subpopulations such as pregnant or lactating women and the elderly.

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83769

Enclosed is scientific data and information demonstrating that Amino's Uridine, when used under the conditions suggested in the labeling of the dietary supplements does not present a significant or unreasonable risk of illness or injury. These supporting materials include:

Tab 1 Expert report of Dr. Joseph F. Borzelleca, "A Critical Evaluation of the Available Information on the Toxicity/Safety of Orally Administered Uridine" (chemical and manufacturing information for Uridine including specifications; critical review of Uridine toxicity) (references included)

Tab 2 Expert report of Dr. Vincenzo Politi, "Uridine Toxicity" (review of published literature on Uridine toxicity) (references included)

Tab 3 Material Safety Data Sheet (EU) for Uridine.

If you have any questions concerning this submission, please contact us at the telephone number listed above.

Sincerely,

Diane B. McColl
Jennifer B. Davis

Counsel to Amino GmbH

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